

Docket No.: 2084-0046-0 DIV



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
FUMINORI TAKEMURA ET AL : EXAMINER: HINES, J.
SERIAL NO: 09/306,780 : GROUP ART UNIT: 1645
FILED: MAY 7, 1999 : ALLOWED: APRIL 8, 2005
CPA FILED: MAY 29, 2001

FOR: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD OF PRODUCING NUCLEIC
ACID-BOUND POLYPEPTIDE, AND IMMUNOASSAY USING THE
POLYPEPTIDE

PETITION UNDER 37 C.F.R. §1.181(a)(3)

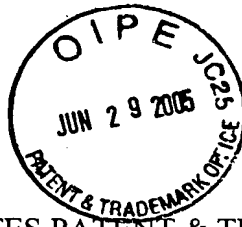
COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

SIR:

Petitioners respectfully request the Office to invoke the supervising authority of the Commissioner and consider Petitioners' Comments on Statement of Reasons for Allowance, concurrently filed herewith, and also indicate that the references cited on the Information Disclosure Statement filed on December 4, 2002, have been considered. Petitioners respectfully request that the Examiner acknowledge consideration of same by providing Applicants with an initialed copy of Form PTO-1449 enclosed herewith listing these references. Petitioners submit herewith a copy of the references cited on the Information Disclosure Statement filed on December 4, 2002, along a copy of the date-stamped filing receipt evidencing the timely filing thereof.

COPY

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FUMINORI TAKEMURA ET AL

: EXAMINER: HINES, J.

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POLYPEPTIDE

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

SIR:

Responsive to the Notice of Allowance dated April 8, 2005, Applicants request that the Examiner provide acknowledgment that the references cited on the Information Disclosure Statement filed on December 4, 2002, have been considered. Applicants respectfully request that the Examiner acknowledge consideration of same by providing Applicants with an initialed copy of the Form PTO-1449 enclosed herewith listing this reference. Accordingly, Applicants submit herewith a copy of the Information Disclosure Statement as filed on December 4, 2002, along a copy of the date-stamped filing receipt evidencing the timely filing thereof, and a copy of the references for which consideration is requested.

COPY

An early and favorable indication that the Information Disclosure Statement has been considered is kindly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Vincent K. Shier, Ph.D.
Registration No.: 50,552

Customer Number

22850

Tel: (703) 413-3000

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(OSMMN 08/03)

COPY



OSMM&N File No. 2084-0046-0 DIV

Dept.: -C-

By: NFO/VKS/sfb

Serial No. 09/306,780

In the matter of the Application of: Fuminori TAKEMURA, et al.

For: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD OF PRODUCING
NUCLEIC ACID-BOUND POLYPEPTIDE, AND IMMUNOASSAY USING
THE POLYPEPTIDE

CPA Filed: May 29, 2001

Due Date: 12/04/02

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Check for \$1100.00
- Dep. Acct. Order Form
- PTO Cover Letter
- Amendment and Request for Reconsideration w/Marked-up Copy
- Information Disclosure Statement
- PTO-1449
- Cited References 5
- Request for Extension of Time Three Months



CCPY



OSMM&N File No. 2084-0046-0 DIV

Dept.: -1

By: NFO/VKS/sfb

Serial No. 09/306,780

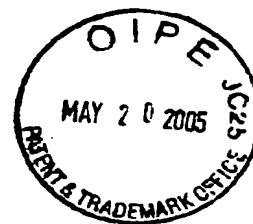
In the matter of the Application of: Fuminori TAKEMURA, et al.

For: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD OF PRODUCING
NUCLEIC ACID-BOUND POLYPEPTIDE, AND IMMUNOASSAY USING
THE POLYPEPTIDE

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon

- Dep. Acct. Order Form
- PTO Cover Letter
- Comments on Statement of Reasons for Allowance
- Copy of Date-stamped Filing Receipt dated December 4, 2002
- Copy of Information Disclosure Statement filed December 4, 2002
- Copy of Form PTO 1449 filed December 4, 2002
- Copy of Cited References (5) filed December 4, 2002



COPY



OSMM&N File No. 2084-0046-0 DIV

Dept.: -C

By: NFO/VKS/sfu

Serial No. 09/306,780

In the matter of the Application of: Fuminori TAKEMURA, et al.

For: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD OF PRODUCING
NUCLEIC ACID-BOUND POLYPEPTIDE, AND IMMUNOASSAY USING
THE POLYPEPTIDE

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon

- Dep. Acct. Order Form
- PTO Cover Letter
- Petition Under 37 C.F.R. §1.181(a)(3)
- Copy of Date-stamped Filing Receipt dated December 4, 2002
- Copy of Information Disclosure Statement filed December 4, 2002
- Copy of Form PTO 1449 filed December 4, 2002



COPY



Docket No.: 2084-0046-0 DIV

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

ATTORNEYS AT LAW

RE: Application Serial No.: 09/306,780

Applicants: Fuminori TAKEMURA, et al.

Filing Date: May 7, 1999

CPA Filed: May 29, 2001

For: NUCLEIC ACID-BOUND POLYPEPTIDE, METHOD
OF PRODUCING NUCLEIC ACID-BOUND
POLYPEPTIDE, AND IMMUNOASSAY USING THE
POLYPEPTIDE

Group Art Unit: 1645

Examiner: Hines, J.

Allowed: April 8, 2005

SIR:

Attached hereto for filing are the following papers:

Comments on Statement of Reasons for Allowance

Copy of Date-stamped Filing Receipt dated December 4, 2002

Copy of Information Disclosure Statement filed December 4, 2002

Copy of Form PTO 1449 filed December 4, 2002

Copy of Cited References (5) filed December 4, 2002

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Vincent K. Shier, Ph.D.

Registration No. 50,552

Customer Number

22850

(703) 413-3000 (phone)

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CC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Fuminori TAKEMURA et al.

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GAU: 1645

FILED: MAY 7, 1999

EXAMINER: HINES, JANA A.

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CPA FILED: May 29, 2001

INFORMATION DISCLOSURE/RELATED CASE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited first in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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Registration No. 50,552

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Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 2084-0046-0 DIV		SERIAL NO. 09/306,780	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Fuminori TAKEMURA et al.			
				FILING DATE MAY 7, 1999		GROUP 1645	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	AA	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO	6-27109	02-04-94	JAPAN w/English Abstract			X
	AP	7-118291	05-09-95	JAPAN w/English Abstract			X
	AQ	0 286 239	10-12-88	EUROPE			
	AR	WO 91/12328	08-22-91	WIPO			
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	R. Caswell et al., "Attempts to Engineer an Escherichia Coli DNA-Binding Protein as a Tool for Affinity Purification of Heterologous Proteins," <i>Biotechnology Techniques</i> , Vol. 7, No. 4, (April 1993), pages 307-312.					
	AX						
	AY						
	AZ						
Examiner					Date Considered		

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

COPY